

## Form 10 - AFFIDAVIT OF MAILING ONLY

GERSTEIN SAVAGE KAPLOWITZ

ATTN:

UNITED STATES SOUTHERN DIST. COURT

NEW YORK COUNTY

MERIT CAPITAL GROUP, LLC

plaintiff

Index No. 04-cv-07690

- against -

Date Filed .....

TRIO INDUSTRIES MANAGEMENT, LLC

defendant

Office No.  
Court Date: 10/15/2004

ET AL

STATE OF NEW YORK, COUNTY OF NEW YORK

:SS:

JOEL GOLUB being duly sworn, deposes and says:  
 I am over 18 years of age, not a party to this action and reside in the State of New York. That on the 7th day of October, 2004 at a regular postal depository maintained by the United States at Church Street Station, New York, New York, deponent mailed the copy of

**SUMMONS AND COMPLAINT  
 ORDER TO SHOW CAUSE WITH AFFIDAVIT AND EXHIBITS  
 WITH TEMPORARY RESTRAINING ORDER  
 TWO ORDERS AND MEMORANDUM OF LAW**

to EVAN R. DANIELS  
 the DEFENDANT at %TRIO INDUSTRIES HOLDINGS, LLC 8411  
 PRESTON RD, STE 850, DALLAS TX 75225

Copy mailed by 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.  
 AS EVIDENCED BY CERTIFICATE OF MAILING HEREWITH ATTACHED

Sworn to before me this  
 7th day of October, 2004

SAMSON NEWMAN  
 Notary Public, State of New York  
 No. 31-4783767  
 Qualified in NEW YORK COUNTY  
 Commission Expires 11/03/2005



JOEL GOLUB 701893  
 AETNA CENTRAL JUDICIAL SERVICES  
 225 BROADWAY, SUITE 1802  
 NEW YORK, NY, 10007  
 Reference No. 9GSKWM797866